

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE

DEBRA CATLETT,

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Plaintiff

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No.

vs.

JURY DEMAND

ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY,

*

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*

Defendant.

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NOTICE OF REMOVAL

The above-named Defendant, Allstate Property & Casualty Insurance Company (hereinafter "Allstate"), pursuant to 28 U.S.C. § 1441, et seq. for its Notice of Removal of an action instituted by the above-named Plaintiff against it as Defendant, shows unto the Court:

1. Plaintiff is a citizen and resident of Sevier County, Tennessee, and so pleads in her Complaint.
2. Defendant Allstate at all times pertinent to this cause of action is a foreign corporation incorporated in the State of Illinois. Allstate was not on August 17, 2006, or any time before or after said date, up to and including the date this action was filed in the Circuit Court of Sevier County, Tennessee, or on the date of the filing of this Notice of Removal, incorporated under the corporate statutes or other applicable law of the State of Tennessee, and has not at any time prior to or subsequent to and including the date of the filing of this Notice of Removal, had its principal places of business in Tennessee.

3. The citizenship of the respective parties was the same as herein alleged at the time of the commencement of this action in the Circuit Court of Sevier County, Sevierville, Tennessee, and on the date of the filing of this Notice of Removal.

4. On April 25, 2008, Plaintiff instituted an action against Defendant in the Circuit Court for Sevier County at Sevierville, Tennessee, by filing in said Court a Summons for the said Defendant and, at the initial pleading, a Complaint seeking judgment in an amount totaling not less than \$50,000.00, as a result of alleged events occurring on or about August 17, 2006, when Plaintiff allegedly sustained damages.

5. The Summons and Complaint issuing from the Clerk's Office of the Circuit Court for Sevier County at Sevierville, Tennessee, was served on the Defendant through the Tennessee Department of Commerce and Insurance on April 30, 2008.

6. Less than thirty (30) days have transpired since service of the suit to the Defendant, up to and including the date of the filing of this Notice of Removal.

7. Defendant files with its Notice of Removal copies of all process, pleadings and other papers served upon it in the state action, to wit:

- (a) Complaint filed April 25, 2008;
- (b) Letter from the State of Tennessee Department of Commerce & Insurance to Allstate Insurance Company in care of CT Corporation dated May 1, 2008; and
- (c) Letter from CT Corporation to Kim Turner, Allstate Insurance Company dated May 5, 2008.

8. The amount in controversy in said action herein referred to exceeds the sum of Seventy-five Thousand Dollars (\$75,000.00), exclusive of interest and costs. Plaintiff has given sworn testimony in this matter that she claims Six Hundred Sixty-one Thousand and Seven Hundred Fifty Dollars (\$661,750.00) for the alleged loss that is the subject of this suit. (Ex. A) Plaintiff's sworn proof of loss is also attached hereto. (Ex. B)

WHEREFORE, Defendant prays that this Court to accept this Notice of Removal and proceed with this action in accordance with law.

DATED this the 14th day of May, 2008.

Respectfully submitted,

**ALLSTATE PROPERTY &
CASUALTY INSURANCE COMPANY**

s/ Suzanne S. Cook

By _____
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